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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Appli cation Number	09/683,959	
	Filing Date	03/06/2002	
	First Named Inventor	Min-Hsun Hsieh	
	Group Art Unit	2818	
	Examiner Name	Phuc T Dang	
Total Number of Pages in This Submission	10	Attorney Docket Number	KYCP0003USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		RECEIVED
Firm or Individual name	Winston Hsu, Reg. No.: 41,526	NOV 26 2003
Signature	<i>Winston Hsu</i>	OFFICE OF PETITIONS
Date	11/20/2003	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (01-03)
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	09/683,959
Filing Date	03/06/2002
First Named Inventor	Min-Hsun Hsieh
Examiner Name	Phuc T Dang
Art Unit	2818
Attorney Docket No.	KYCP0003USA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-0801
Deposit Account Name: North America International Patent Office

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	- 3** =	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Multiple Dependent					<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

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SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Winston Hsu	Registration No.	41,526	Telephone	886289237350
Signature	<i>Winston Hsu</i>	(Attorney/Agent)		Date	11/20/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

#6



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PTO/SB/64 (10-01)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) KYCP0003USA
<p>First named inventor: <u>Min-Hsun Hsieh</u></p> <p>Application No.: <u>09/683,959</u> Art Unit: <u>2818</u></p> <p>Filed: <u>03/06/2002</u> Examiner: <u>Phuc T. Dang</u></p> <p>Title: <u>Light Emitting Diode Having a Transparent Substrate and a Method for Manufacturing the Same.</u></p> <p>Attention: Office of Petitions Assistant Commissioner for Patents Box DAC Washington, D.C. 20231</p> <p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.</p> <p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p> <p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none">(1) Petition fee;(2) Reply and/or issue fee;(3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and(4) Statement that the entire delay was unintentional. <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity - fee \$ <u>130</u> (37 CFR 1.17(m))</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of <u>Petition to withdraw holding of Abandonment</u> (Identify type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ _____</p> <p><input type="checkbox"/> has been paid previously on _____</p> <p><input type="checkbox"/> is enclosed herewith.</p>		

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11/26/2003 AWONDAF1 00000095 500801 09683959
01 FC:2453 665.00 DA

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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11/20/2003
Date

Winston Hsu
Signature

Telephone
Number: (886) 02-89237350

Winston Hsu, Patent Agent No. 41,526
Typed or printed name

P.O. Box 506, Merrifield, VA 22116,
Address

U.S.A.

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Min-Hsun Hsieh Examiner: Phuc T Dang
Filing Date: 03/06/2002 Art Unit: 2818
Serial No.: 09/683,959 Docket No.: KYCP0003USA

Title: Light Emitting Diode Having a Transparent Substrate
10 and a Method for Manufacturing the Same

To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

15

Subject: Petition to withdraw holding of abandonment

Dear Sir or Madam:

20 The following is a petition under 37 CFR 1.181(a) to
withdraw the holding of abandonment for the above-identified
application, as per MPEP 711.03(c)(II).

On Sept. 29, 2003, the applicant received a Notice of
25 Abandonment, indicated as mailed Sept. 17, 2003, for failing
to file a timely reply to an Office action mailed on Dec. 18,
2002. However, the applicant did not receive this Office action,
and a search of the file jacket and docket records attests
to the fact that the Office action in question was not received.

30

Regarding the file jacket and docket records, please find
attached Items A, B, and C.

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JAN 12 2004
OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

Item A is the docket record on which record of all communications with the USPTO are recorded. On Item A, an encircled 1 indicates receipt of the Notice of Recordation on April 22, 2002, an encircled 2 indicates receipt of Notice
5 of Publication on Feb. 6, 2003, and an encircled 3 indicates receipt of the Notice of Abandonment. Clearly, this office was receiving communications from the USPTO during the time the Office action in question would have been received, and specifically, within and after three months from the mailing
10 date of this Office action.

Item B is a copy of the first page of the Notice of Recordation indicated above having a receipt date stamp (indicated by *) of April 22, 2002. Please note that date stamps
15 used by this office indicate the Republic of China (R.O.C., Taiwan) year wherein 91 corresponds to 2002, that is, the stamp date of "91.4.22" is "2002.Apr.22".

Item C is a copy of the Notice of Publication indicated
20 above having a receipt date stamp (indicated by *) of Jan. 27, 2003. Please note that the discrepancy of dates (Jan. 27, 2003 date stamp vs. Feb. 6, 2003 written on docket record) is a merely result of the multi-day Chinese New Year holiday occurring between these two dates.

25 In view of Items A, B, and C this office maintains that communications from the USPTO were properly being received at the address of record during the time the Office action in question would have been received.

30 Lastly, the Notice of Abandonment indicates that the examiner e-mailed the applicant on August 27, 2003. This office

regularly receives e-mail correspondence from the USPTO and
its examiners and promptly replies to all such e-mails. A
telephone call to inquire about this e-mail was placed to the
examiner around Oct. 15, 2003, however, the examiner could
5 not be reached.

In view of the above and with regards to MPEP 711.03(c)(II),
the applicant respectfully requests that the holding of
abandonment of the present application be withdrawn. The
10 applicant respectfully requests that the Office action be
re-mailed and that the statutory time period for reply to the
Office action be reset accordingly.

15 Sincerely,

Winston Hsu

Date: *11/20/2003*

20 Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506
Merrifield, VA 22116
U.S.A.
e-mail : winstonhsu@naipo.com.tw

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發明人：謝明勳、莊坤仁

發明人：謝才明、張坤儒、魏學賢、呂志強、周錦波、宋法義、劉家星、黃兆年

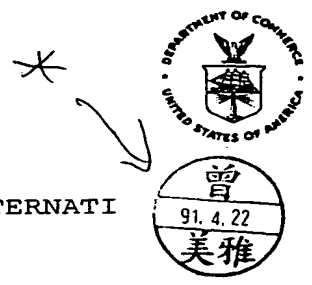
A diagram consisting of three vertically stacked circles, each containing a number. The top circle contains the number '1', the middle circle contains the number '2', and the bottom circle contains the number '3'. From the right side of each circle, an arrow points horizontally to the right, towards a cloud-like shape that is positioned to the right of the top circle and partially overlaps with the others.

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Item B

MARCH 07, 2002

NAIPO (NORTH AMERICA INTERNATI
P.O. BOX 506
MERRIFIELD, VA 22116



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/06/2002

REEL/FRAME: 012452/0471

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
HSIEH, MIN-HSUN

DOC DATE: 12/11/2001

ASSIGNOR:
CHUANG, KEUN-RU

DOC DATE: 12/11/2001

ASSIGNOR:
WEY, SHANE-SHYAN

DOC DATE: 12/11/2001

ASSIGNOR:
LU, CHIH-CHIANG

DOC DATE: 12/11/2001

ASSIGNOR:
JOU, MING-JIUNN

DOC DATE: 12/11/2001

ASSIGNOR:
SUNG, SHU-WEN

DOC DATE: 12/11/2001

ASSIGNOR:
LIU, CHIA-CHENG

DOC DATE: 12/11/2001

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Item C

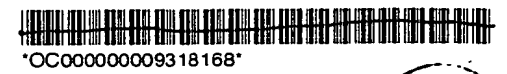


Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/683,959	03/06/2002	Min-Hsun Hsieh	KYCP0003USA

CONFIRMATION NO. 7583

027765
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116



924867



Title: Light emitting diode having a transparent substrate and a method for manufacturing the same

Publication No. US-2003-0003613-A1
Publication Date: 01/02/2003

Date Mailed: 01/02/2003

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

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Initial Patent Examination Division (703) 308-1202

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